

Appln. No. 10/758,324

Attorney Docket No. 10541-1828

**III. Remarks**

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Claims 1 through 20 stand rejected. Claims 1-3, 6-10, and 16 are being amended. Claim 18 is being cancelled.

Specifically, claim 1, as amended, now recites "transmitting pulse-width modulated control commands from a controller to a set of valves and at least one pump to control the operation of the set of valves and the at least one pump."

Accordingly, after entering this amendment, claims 1 through 17, 19, and 20 remain pending.

***Drawing Objections***

The drawings have been objected to for failing to comply with 37 CFR 1.84(p)(5) because they include reference characters not mentioned in the description, specifically, 106 and 112 (Figs. 6A-6C), 508 (Fig. 12), 620 (Fig. 13), and 822 (Fig. 150). In response, the specification has been amended to add the reference characters in paragraphs [0043], [0059], [0065], and [0070] of the description in compliance with 37 CFR 1.121(b). No new matter is being added.

Accordingly, it is believed that these objections are now moot and should be withdrawn.

***Specification***

The specification has been objected to because of various informalities in paragraphs [0030], [0050], [0051], [0068], [0071], and [0077]. In response, the

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specification has been amended to correct the informalities in these paragraphs. No new matter is being added.

Accordingly, it is believed that these objections are now moot and should be withdrawn.

*Claim Rejections - 35 U.S.C. § 112*

Claims 1-20 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response, claims 2, 3, 6-10, and 16 have been amended to provide sufficient antecedent basis for the limitations in the claims, and claim 18 has been cancelled. Support for the limitation "monitoring the wear" in claim 10 can be found at least at paragraph [0074], line 10 of the specification.

Accordingly, it is believed this rejection is now moot and should be withdrawn.

*Claim Rejections - 35 U.S.C. §102(b)*

Claims 1-20 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 5,875,865 to Wakahara et al. (Wakahara).

Wakahara discusses, as shown in Figs. 4 and 6, a controller 18 including a microcomputer 7 with an input interface 7a and an output interface 7d. The input interface 7a receives signals Dn, V, NF, NR and SH, while the output interface 7d outputs the control signal CS0 to a drive circuit 31a, which, in turn, outputs the duty-cycle controlled exciting current i0 to a solenoid 128d. The control signal CS0 is an analog voltage signal representative of the duty ratio D correlated with a target driving torque  $\Delta T$  delivered to the front wheels 12FL and 12FR. The drive circuit 31a

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includes a pulse-width modulator for modulating the control signal CS0 consisting of the analog signal to the duty-cycle controlled exciting current i0 of the determined duty ratio D.

Hence, Wakahara only discusses transmitting a pulse-width modulated signal to the solenoid valve 128d, and does not teach transmitting a pulse-width modulated signal to a pump.

Therefore, Wakahara does not teach each and every element of amended claim 1. Specifically, Wakahara does not teach "transmitting pulse-width modulated control commands from a controller to a set of valves *and at least one pump* to control the operation of the set of valves and the at least one pump."

Accordingly, reconsideration of the rejections under 35 U.S.C. § 102(b) and the allowance of claim 1 is respectfully requested. Further, since claims 2 through 17, 19, and 20 depend from claim 1, directly or indirectly, the reasons for allowance of claim 1 apply as well to the dependent claims.

#### Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims (claims 1 through 17, 19, and 20) are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

July 14, 2005  
Date

  
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